IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

And
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 10449 of 2005

Between:

Sk.Jilani Basha S/o. Mahabub,
Police Constable in P.S.Atmakur R/o.Atmakur, Nellore District.

..... PETITIONER

AND

The Superintendent of Police, Nellore.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, direction or order especially in the nature of writ of mandamus to declare the action of the Hon'ble A.P.Aministrative Tribunal in not passing either interim order or final order in O.A.No.1078 of 2005 as illegal, arbitrary and without jurisdiction and consequently stay all of all further proceedings pursuant to the charge memo No.06/PR/2005 dt.6.1.2005 issued by the respondent till the disposal of the above O.A.

Counsel for the Petitioner:MR.M.SUBRAHMANYAM

Counsel for the Respondent: GP FOR SERVICES II

The Court at the admission stage made the following:

ORAL ORDER: (per GB.J.)

The only grievance raised in the Writ Petition is that A.P. Administrative Tribunal (for short Tribunal) is not passing neither the final orders nor the interim orders in OA.No.1078 of 2005 and therefore he seeks appropriate interim orders.

2. It is the case of the petitioner that the Tribunal has adjourning the matter from time to time without passing any orders. If no orders are passed, the very purpose of filing the OA will be defeated. Therefore he seeks appropriate directions.

3. We have heard the learned counsel for the petitioner and the learned Government Pleader for Services-I.

4. In view of the fact that the application for interim order is still pending before the Tribunal, we dispose of the Writ Petition with a direction that the Tribunal shall dispose of the interim relief application one way or the other within a period of six (06) weeks from today. Till such time the interim relief application is disposed of, there shall be interim stay of all further proceedings pursuant to the charge memo dated 6.1.2005 issued by the respondent. No costs.

(G.BIKSHAPATHY, J.)

29th April, 2005.

(P.S.NARAYANA, J.)

SSR

To

1. The Superintendent of Police, Nellore.

2. The Registrar, A.P. Administrative Tribunal, Hyderabad.

3. 2 CCs to G.P. for Services-I, High Court of A.P. Hyderabad. (OUT)

4. 2 CD copies

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